

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

DANIEL JOSEPH BOISCLAIR,

Plaintiff,

v.

ORDER

Civil File No. 05-112 (MJD/AJB)

MICHAEL T. ETMUND, and
SIMONE SURI, individually
and as agents for Direct Merchants
Credit,

Defendants.

Daniel Joseph Boisclair, pro se.

Jennifer M. Berquist, Gurstel Law Firm, PA, Counsel for Defendants.

United States Magistrate Judge Arthur J. Boylan issued a Report and Recommendation dated March 22, 2006, recommending that this action be dismissed for failure to prosecute. Objections to the Report and Recommendation were due by April 7, 2006. Plaintiff Daniel Joseph Boisclair did not file any objections and, on May 1, 2006, this Court filed an Order adopting the Report and Recommendation and dismissing this action with prejudice. On May 9, 2006, Boisclair filed two untimely objections to the Report and Recommendation.

Out of an abundance of caution, the Court has conducted a de novo review

of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based on that review the Court concludes that its May 1, 2006 Order is correct.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

The Court's Order of May 1, 2006, adopting the Magistrate Judge's Report and Recommendation dated March 22, 2006, and dismissing this action with prejudice [Docket No. 21] remains in effect.

Dated: June 15, 2006

s / Michael J. Davis
Judge Michael J. Davis
United States District Court